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and come to the conclusion that those who refuse to acknowledge the supremacy of the Catholic Church are on the wrong track. Thus the doctrine of the Church is Christianity, not merely one phase of it. The development of the Middle Ages with the idea of the equality of all men before God is based upon egotism. This egotism must lead to anarchy, and in view of the necessity for individual humiliation leads logically to the development of some hierarchy to be the representative of God. Democracy is based on egotism, hence is anarchistic and must fail.

So in the study of marriage and family life. To allege that hatred of restraints on sexual intercourse was the chief factor at work in the anti-Catholic movement of the sixteenth and seventeenth centuries, and is the principal lever of the modern revolutionary movement is ridiculous. It will certainly surprise many of the descendants of the Puritans to learn this. It logically followed then that husband and wife were unequal for the moral law. Hence the attitude of the Catholic Church toward the family is different. To study *Struggle and Suffering* (chapter vii), and learn that religion is never humanitarian is to give one an impression that, to say the least, does not tally with the present developments in the United States. The result of it is, therefore, that the logical result of Protestantism is self-destruction. Only by recognizing the frailty of the teaching of the Church by modifying one's own opinion whenever the Church declares that this or that is the true doctrine is safety to be found.

The book will be to non-Catholics, therefore, chiefly of interest as showing the intellectual subservieny which must necessarily result from the acceptance of a final standard in controlling evolution. Devout Catholics will be far more sympathetic than is the present reviewer, but there will be many of them who doubt whether such wholesale condemnation of other groups is an indication more of scholarship than keenness of vision.

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DOUGHERTY, J. H. *Power of Federal Judiciary over Legislation.* Pp. viii, 125. Price, \$1.00. New York: G. P. Putnam's Sons, 1912.

This book was written to prove that, prior to the formation of the national constitution, the state judiciary claimed and used the power to judge laws, repugnant to the state constitution, to be null and void; that although this right of the judges was challenged in some instances, their conclusions were generally accepted; that these decisions were known to the members of the Federal Convention; that the existence of such a power was assumed in the resolution and letters submitted to the states by the Congress of the Federation in April; and that, in establishing the federal judiciary, the convention aimed to create a tribunal which should enjoy a like prerogative, with the adequate power of setting aside acts of congress repugnant to the constitution. This is the second book published to prove that the framers of the national constitution intended to give to the supreme court the power to declare congressional acts null and void.

The monograph is a thorough-going presentation of one side of this never-ending controversy. The author does not at all times clearly distinguish between the undoubted desire of the framers of the national constitution to make the

judiciary independent, and the proposition that this independent judiciary was to have plenary power to declare congressional acts null and void. He discusses the cases in which the state judges claimed and employed the power to judge state laws unconstitutional, but he does not prove at all that their conclusions were generally accepted. He assumes that the clause of the constitution making "this constitution and the laws of the United States which shall be made in pursuance thereof, . . . the supreme law of the land," and binding the judges in every state thereby, was passed primarily to give to the supreme court "the right of review of all state legislation inimical to the organic law of the Union." A study of the debates in the convention would reveal that this clause was adopted primarily in order to give to the national government sovereign powers and to give it powers over the individual rather than over the states and thereby dispense with the plan of giving to congress the power to nullify state laws or of giving to the President power to call out the military forces to compel the states to obey.

As a whole, however, the author presents his thesis with ability and exactness. The book cannot but make the most careful opponent to the proposition rather insecure in his beliefs. What is needed now is a volume that will make the distinctions noted above and present side by side all the available material on both sides of the question.

Mr. Dougherty feels that no law should be set aside as unconstitutional unless it is "plainly and palpably so" and that no law can respond to this test when the court is seriously divided regarding it. He, therefore, recommends that a statute be declared in conflict with organic law only by unanimous, or nearly unanimous, vote of the court, and that the state through its attorney-general should always be given an opportunity for a rehearing when laws are declared unconstitutional. He also feels that all cases involving the due process of law clause in the fourteenth amendment should be appealed to the United States Supreme Court.

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ELLWOOD, CHARLES A. *Sociology in its Psychological Aspects*. Pp. xiv, 417
Price, \$3.00. New York: D. Appleton & Co., 1912.

In the last ten years Professor Ellwood has gained a deserved reputation as a careful student of social theory. He has the power of stating his views clearly and forcefully, and he creates the impression that he is not intentionally slighting ideas which he himself does not hold.

The present volume begins with a survey of the various conceptions of sociology and of society in which the conclusion is reached that "The study of social evolution, then,—that is, of social changes of all sorts, from those of fashions to great industrial and political revolutions,—is the vital part of sociology." "Sociology . . . is an abstract, theoretical science of the social life." Thus it differs from history—the description of past events.

Biology and psychology are to the author the chief foundations of sociology, though the former plays a restricted rôle limited to such subjects as population, heredity, national selection. The great mass of the questions are psychological.